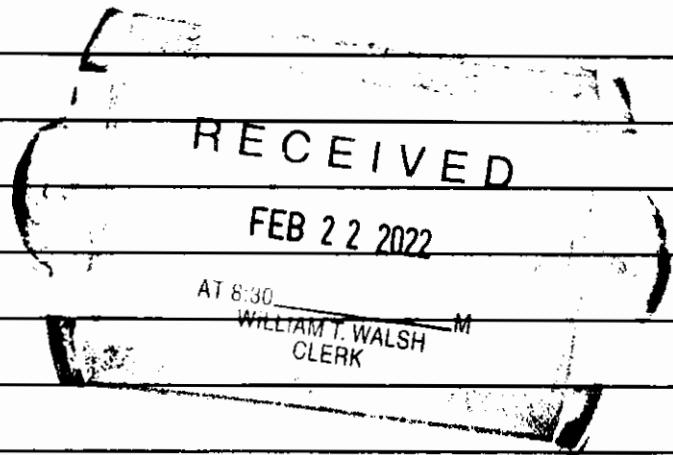


Brian Maddox #1205878
New Jersey State Prison
P.O. Box 261
Trenton New Jersey 08625

Clerk, United States Dist Court
P.O. Box 2997
Camden New Jersey 08101



Dear U.S. Clerk:

Please find enclosed one original 42 U.S.C. 1983
To be filed accordingly along with a Certification of my
account of a Six month Statement attached with Affidavit of
poverty

Respectfully Submitted.

Dated: November, 2021

~~2-10-2022~~

2-10-2022

By: ~~Brian Maddox~~
Brian Maddox
0501892971
1205878

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Brian Maddox

(Enter above the full name of the plaintiff in this action)

COMPLAINT

v.

Sgt. Mendoza
New Jersey State Prison et al.
Mayor Sears et al.

(Enter the full name of the defendant or defendants in this action)

Civil Action No. _____

(To be supplied by the Clerk of the Court)

RECEIVED
FEB 22 2022

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): NoneDefendant(s): N/Ab. Court and docket number: N/A

c. Grounds for dismissal: () frivolous () malicious
() failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit: N/Ae. Approximate date of disposition: N/A

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? New Jersey State Prison

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: Brian Maddox

Address: Second & Federal Street P.O. Box 861

Inmate #: ~~1205878~~ 1205878

b. First defendant:

Name: Sgt. Mendoza

Official position: Sgt. of the Mail Room

Place of employment: New Jersey State Prison

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Sgt. Mendoza deliberately opened outgoing mail continue to withhold outgoing and incoming mail for which has complicated my legal fight with the court because of these tactics which is causing time barred issue from the the delay in delivering my legal mail

c. Second defendant:

Name: Major Sears

Official position: Major / Custody Supervisor

Place of employment: New Jersey State Prison

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Major Sears is the Supervisor over Sgt. Mendoza who has continuously delayed Sgt. Mendoza to interfere with my outgoing mail and deliver my legal mail on a timely manner. After being informed of Sgt. Mendoza actions in this matter

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

I wrote up each incident on the Kiosk as it had occurred, but was shunned off as if this complaint was a pestering matter

If your answer is "No," briefly explain why administrative remedies were not exhausted.

N/A

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

Approximately one year ago my legal mail was delivered to me by an inmate at the New Jersey State Prison. Clearly this delivery of my legal mail threw for a loop, and I chalked up as a mistake. However this situation occurred again. I immediately contacted the mail room supervisor Sgt. Mendez and was advised the matter would be taken care of.

on numerous of occasions I sent out complaint relating to the delay of my mail and legal mail. This has also included all my outgoing mail being opened and read prior to being sent out to my family and attorney.

I recently addressed this issue with the Mail Room Sgt. Mendoza for that he is the Supervisor of the prison mail room and was told that I was pestering him and that he knows his job and he don't give a "fuck" about my mail. I then informed Sgt. Mendoza that I had contacted my lawyer in relation to this matter for that he was concerned about me not meeting some court orders but I had not received the legal mail that included the courts orders.

on approximately December 18, 2020 these incidents started occurring that has escalated to my mail that outgoing was opened and then stapled together when my family received it. I have kept a record of all the legal and regular mail incidents that has occurred against me.

I strongly believe that these incidents occurring against me stems from me being an out of state inmate transfer for that both Sgt. Mendoza and his supervisor Mayor Sears knows the importance of an inmate and/or prisoners importance of family and legal correspondence. So from the date of December 18, 2020 I have suffered many of days of not knowing where my outgoing legal mail has gone as well as regular US mail being sent to my family. I also ask permission to Amend this complaint.

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

I humbly ask that this Court sanction and protect inmate and/or prisoners from any nefarious actions by any prison authorities by withholding or either delaying court or attorney sent legal correspondence.

Monetary damages in the amount of 10
Million U.S. Currency for mental and
physical abuse by the hands of prison officials

8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial () Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 10 day of FEBRUARY, 2022

Brian M. M. M.

Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT
HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF.
REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).